GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Allegations of corruption and misappropriation of Municipal Funds in Eluru Municipality – Passing Forged and Falsified Bills leading to payment of Rs.7.81 lakhs from public funds to Municipal Contractor Sri J.S.C.Bose on 29.03.1995 in Eluru Municipality, for the works which were not executed by the Contractor – Prosecution sanction orders were issued against Sri A.V.Satyanarayana, the then Accountant and others of Eluru Municipality – Charge Sheet filed – Accused Officers acquitted by the Judgment dated 18.05.2012 of Hon'ble Court of II Additional Judicial Magistrate of 1 Class, Eluru in C.C.No.426/2003 - Further action dropped against (1) A.O-3 Sri A.V.Satyanarayana, the then Accountant (Retd.), (2) A.O-4 Sri D.Satyanarayana, the then Clerk (Retd.) and (3) A.O-6 Sri R.Rama Rao, the then Municipal Engineer (Retd.) of Eluru Municipality – Orders -Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Ms.No.182 **Dated:15.10.2020.**

Read the following:-

1. U.O.Note No.280/V&E-C1/95-5, dated 30.09.1995 of the General Administration (V&E-C) Department.
2. Govt. Memo.No.29414/L1/1995-7, dated 13.12.1995 of M.A. & U.D. (L1) Department.
3. From the Director General, Anti Corruption Bureau, A.P., Hyderabad, letter Rc.No.119/RE-EWG/95, dated 03.02.1996.
4. Govt. Memo. No.29414/L1/1995-12, dated 19.04.1997 of M.A. & U.D. (L1) Department.
5. From the Additional Director General of Police, C.I.D., A.P., Hyderabad, letter C.No.1641/C2/CID/97, dated 02.03.2002.
6. G.O.Ms.Nos.260, 261 & 263, M.A., & U.D. (V1) Department, dated 04.06.2002.
7. From the Hon'ble Court of II Additional Judicial Magistrate of 1 Class, Eluru, Judgment dated 18.05.2012 in C.C.No.426/2003.
8. G.O.Ms.Nos.125 & 126, MA&UD(Vig.I) Dept., dated:14.03.2019

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O R D E R:

Whereas, it has been brought to the notice of the Government by the General Administration (V&E-C) Department that, on receipt of a petition from the President, Eluru Consumers Council, the Vigilance & Enforcement Department had conducted the enquiry and during the enquiry, it was revealed that the officials of the Eluru Municipality indulged in tampering of records, forgery, excess payment to the Contractor, by fabrication of bills/records etc. Some pages in M.Books and files were also found missing. The General Administration (V&E-C) Department have reported that Sri A.V.Satyanarayana, the then Accountant and others of Eluru Municipality were liable for criminal action and recommended to entrust the case to the Anti Corruption Bureau for taking further necessary action, vide reference 1st read above.

2. As per the recommendations of G.A.(V&E) Department, Government have decided to entrust the case to Anti Corruption Bureau and in the reference 2nd read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad was requested to conduct detailed enquiry into the alleged irregularities and send his report to the Government.

3. In the reference 3rd read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has furnished the enquiry report and reported that the enquiry reveals that the whole transaction constitute a case of criminal conspiracy resulting in defrauding the Municipality to a tune of Rs.7,81,000/- by the Accused Officers Sri A.V.Satyanarayana, the then Accountant and others of Eluru Municipality including Sri J.Subhash Chandra Bose, Contractor by tampering with the records, forgery, fabrication of bills, records etc., and recommended to entrust

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the case C.B.C.I.D. to register a criminal case against the said Accused Officers and to file charge sheet against them under appropriation sections.

4. Government after careful examination of the report of Director General, Anti Corruption Bureau, A.P., Hyderabad, have decided to entrust the case to C.B.C.I.D., for further investigation and accordingly, in the reference 4th read above, the Additional Director General of Police, C.B.C.I.D., was requested to investigate the case in respect of the Accused Officer Sri A.V.Satyanarayana, the then Accountant and others of Eluru Municipality and submit his report.

5. In the reference 5th read above, the Additional Director General of Police, C.I.D., A.P., Hyderabad stating among others has requested to issue Prosecution sanction orders against (1) Sri K.Prahlada Rao, the then Municipal Commissioner (2) Sri A.V.Satyanarayana, the then Accountant (3) Sri D.Satyanarayana, the then Clerk (4) Sri T.Krishna Murthy, the then Municipal Assistant Engineer and (5) Sri R.Rama Rao, the then Municipal Engineer of Eluru Municipality, so as to enable the C.I.D., to take further action, at the earliest.

6. In the reference 6th read above, orders were issued, according sanction for prosecution of the said Accused Officers of Eluru Municipality in a court of law for the offences committed and punishable under Sections 120B, 420, 468 and 471 of Indian Penal Code (Central Act 45 of1860).

7. In the reference 7th read above, the Hon'ble Court of II Additional Judicial Magistrate of 1 Class, Eluru in its Judgment dated 18.05.2012 in C.C.No.426/2003 pronounced that—

a. A1 (Sri K.Prahlada Rao, the then Municipal Commissioner) and A5 (Sri T.Krishna Murthy, the then Municipal Assistant Engineer) were found guilty for the offence under Section 409 IPC., and accordingly convicted under Section 248 (2) Cr.P.C.

b. A3 (Sri A.V.Satyanarayana, the then Accountant (Retd.)), A4 (Sri D.Satyanarayana, the then Clerk (Retd.)) and A6 (Sri R.Rama Rao, the then Municipal Engineer (Retd.)) were not guilty for the offences under Section 468, 471, 409, 420 and 201 read with 34 IPC and accordingly they are acquitted under Section 248(1) Cr.P.C. The bail bonds of A3, A4 and A6 shall stand cancelled".

8. The Govt have examined the said Judgment, in the reference 8th read above, have issued orders, imposing the punishment of withholding of Pension and Gratuity in full permanently against the Accused Officer-1 Sri K.Prahlada Rao, the then Municipal Commissioner (Retd.), Eluru Municipality and Accused Officer-5 Sri T.Krishna Murthy, the then Municipal Assistant Engineer (Retd.), Eluru Municipality, respectively, as they were convicted by the Orders of Hon'ble Court of II Additional Judicial Magistrate of 1 Class, Eluru dated.18.05.2012 in C.C.No.426/2003.

9. The Government have examined the entire matter carefully in consultation with the CBCID with regard to the remaining C.Os. and after following due procedure it has been decided to drop further action against (1) A.O-3 Sri A.V.Satyanarayana, the then Accountant (Retd.), (2) A.O-4 Sri D.Satyanarayana, the then Clerk (Retd.) and (3) A.O-6 Sri R.Rama Rao, the then Municipal Engineer (Retd.) of Eluru Municipality.

10. Accordingly, Government hereby order to drop further action against (1) Sri A.V.Satyanarayana, the then Accountant (Retd.) (A.O-3), (2) Sri D. Satyanarayana, the then Clerk (Retd.) (A.O-4) and (3) Sri R.Rama Rao, the then Municipal Engineer (Retd.) (A.O-6) of Eluru Municipality, since the said Accused Officers were found not guilty for the offences under Section 468, 471, 409, 420 and 201 read with 34 IPC and accordingly they are acquitted under Section 248(1) Cr.P.C. by the Hon'ble Court of II Additional Judicial Magistrate of 1 Class, Eluru in its Judgment dated 18.05.2012 in C.C.No.426/2003.

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11. The Commissioner & Director of Municipal Administration/ the Engineer-in-Chief, Public Health, A.P., Guntur shall take further necessary action in the matter, accordingly.

12. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. SYAMALA RAO
SECRETARY TO GOVERNMENT

To
Sri A.V.Satyanarayana, the then Accountant (Retd.), Eluru Municipality (through the Commissioner & Director of Municipal Administration, A.P., Guntur)
Sri D.Satyanarayana, the then Clerk (Retd.) Eluru Municipality (through the Commissioner & Director of Municipal Administration, A.P., Guntur)
Sri R.Rama Rao, the then Municipal Engineer (Retd.) Eluru Municipality (through the Engineer-in-Chief, Public Health, A.P., Guntur)
The Commissioner & Director of Municipal Administration, A.P., Guntur
The Engineer-in-Chief, Public Health, A.P., Guntur.
Copy to:
The Commissioner, Eluru Municipal Corporation, West Godavari District.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Addl. Director General, C.I.D., A.P., Guntur.
The Secretary to A.P. Vigilance Commission, 5th Building, A.P. Secretariat.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER